



MINUTES

ORDINARY MEETING OF COUNCIL

at 6:00 PM

Monday 17 March 2025

Present

Lord Mayor – Councillor Tania Brown (in the Chair)
Deputy Lord Mayor – Councillor Linda Campbell
Councillor Andrew Anthony
Councillor David Brown
Councillor Kit Docker
Councillor Dan Hayes
Councillor Ann Martin
Councillor Richard Martin

Councillor Ryan Morris
Councillor Tiana Myers
Councillor Thomas Quinn
Councillor Deidre Stuart
Councillor Jess Whittaker

In Attendance

General Manager
Director Infrastructure + Works, Connectivity Assets + Liveable City
Director Planning + Environment, Future City + Neighbourhoods
Director Corporate Services, Connected + Engaged City
Director Community Services, Creative + Innovative City
Chief Financial Officer
Manager Customer + Business Integrity
Manager Commercial Operations + Property (Acting)
Manager Regulation + Enforcement
Manager Development Assessment and Certification (Acting)
Manager Project Delivery (Acting)
Manager Open Space + Environmental Services
Manager Community Culture + Engagement
Manager Libraries + Community Facilities

Greg Doyle
Joanne Page
Linda Davis
Renee Campbell
Kerry Hunt
Brian Jenkins
Todd Hopwood
Roisin OSullivan
Corey Stoneham
Andrew Heaven
Jeremy Morgan
Paul Tracey
Sue Savage
Sarah Taylor

Note: In accordance with the Code of Meeting Practice, participants in the meeting can participate via audio-visual link. Those who participated via audio-visual link are indicated in the attendance section of the Minutes.

INDEX

	PAGE NO.
ITEM 1	Illawarra Performing Arts Centre Ltd Funding and Services Agreement Renewal 1
ITEM 2	Sale of Lot 87 DP 32081, Baringa Park Dapto..... 2
ITEM 3	Sale of Lot 16 DP 216777, Lot 16 Range Place Bulli..... 2
ITEM 4	Sale of Lot 59 DP 28802, 20 Ranchby Avenue Lake Heights 2
ITEM 5	Sale of Lot 5 DP 217372, 18 Stanbrook Avenue Mount Ousley..... 3
ITEM 6	Grant of Easements over Council Community Land for Community Batteries 3
ITEM 7	Policy Review - Community Facilities 4
ITEM 8	Policy Review - Compliance and Enforcement Policy 4
ITEM 9	Appointment of Council 'Local Expert' Members and Councillor Representatives on the Southern Regional Planning Panel..... 4
ITEM 10	Councillor Attendance at ELEVATE Local Government Communications Summit - 4 April 2025..... 4
ITEM 11	Tender T1000176 - Bulli Beach Cafe Roof Replacement 4
ITEM 12	Tender T1000180 - Camp Gully (Whitty Road, Helensburgh) Headwall and Embankment Rehabilitation..... 5
ITEM 13	January 2025 Financials 5
ITEM 14	Statement of Investment - January 2025 5

CONFLICTS OF INTERESTS

Councillor Ann Martin declared a non-significant, non-pecuniary interest in Item 7 - Policy Review - Community Facilities due to her role as Chair of Our Community Project which is based at the Port Kembla Community Centre. Councillor Ann Martin advised she would remain in the meeting during debate and voting on the item.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 24 FEBRUARY 2025

- 18 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that the Minutes of the Ordinary Meeting of Council held on Monday, 24 February 2025 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM

ITEM NO	TITLE	NAME OF SPEAKER
NON-AGENDA ITEM	GARBAGE COLLECTION AT HILLCREST RETIREMENT VILLAGE	PETER SARLOS

- 19 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Morris that the speaker be thanked for his presentation and invited to table his notes.

CALL OF THE AGENDA

- 20 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor R Martin that the staff recommendations for Items 3, 4, 10, 13 and 14 be adopted as a block.

ITEM 1 - ILLAWARRA PERFORMING ARTS CENTRE LTD FUNDING AND SERVICES AGREEMENT RENEWAL

- 21 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor R Martin seconded Councillor Hayes that Council endorse the Illawarra Performing Arts Centre Ltd Funding and Services Agreement 1 January 2026 – 31 December 2031 under the following provisions:

- 1 In accordance with section 55(3) of the *Local Government Act 1993*, Council resolves that, due to the following extenuating circumstances:
 - (i) the achievement of economies of scale through centralised administrative functions and greater operational flexibility between the venues
 - (ii) the ongoing annual funding and in-kind support provided by Council to Illawarra Performing Arts Centre Ltd (IPAC) to provide the Centre and Town Hall programs; and
 - (iii) the impracticality for scheduling purposes and securing/programming performances, a satisfactory result would not be achieved by:
 - (a) inviting tenders for the services provided by IPAC; and
 - (b) IPAC or Council inviting tenders (as may be required by section 55 of the *Local Government Act 1993* as outlined in this report) for contracts for the purpose of programming productions and performances at the Centre or the Town Hall during the term of the New Agreement.

- 2 Council enter into the New Agreement with IPAC for the period from 1 January 2026 to 31 December 2031 including the licences for the Centre and Town Hall.
- 3 Council delegate the finalisation and execution of the New Agreement with IPAC for the period of 1 January 2026 to 31 December 2031 to the General Manager.

ITEM 2 - SALE OF LOT 87 DP 32081, BARINGA PARK DAPTO

22 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Quinn that -

- 1 Council authorise the sale of Lot 87 DP 32081 to the owner of lots 1 and 2 Sec 56 DP 3436 on the following conditions:
 - a An easement be granted in favour of Council for public thoroughfare burdening Lot 87 DP 32081 allowing the continued use of the laneway connecting Moombara Street and Baringa Place Dapto, and as identified in the attachments to this report.
 - b Each party be responsible for their own legal costs.
- 2 The Lord Mayor and General Manager be granted authority to affix the Common Seal of Council to any documentation required to give effect to this resolution and the General Manager be granted authority to sign any documentation necessary to give effect to this resolution.

ITEM 3 - SALE OF LOT 16 DP 216777, LOT 16 RANGE PLACE BULLI

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 20)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor R Martin that -

1. Council authorise the sale of Lot 16 DP 216777 being Lot 16 Range Place, Bulli on the open market.
2. The General Manager be authorised to approve the sale strategy and finalise the sale price and the terms of the sale.
3. The Lord Mayor and General Manager be granted authority to affix the Common Seal of Council to any documentation required to give effect to this resolution and the General Manager be granted authority to sign any documentation necessary to give effect to this resolution.

ITEM 4 - SALE OF LOT 59 DP 28802, 20 RANCHBY AVENUE LAKE HEIGHTS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 20)

COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor R Martin that -

- 1 Council authorise the sale of Lot 59 DP 28802 being 20 Ranchby Avenue, Lake Heights on the open market.
- 2 The General Manager be authorised to approve the sale strategy and finalise the sale price and the terms of the sale.
- 3 The Lord Mayor and General Manager be granted authority to affix the Common Seal of Council to any documentation required to give effect to this resolution and the General Manager be granted authority to sign any documentation necessary to give effect to this resolution.

ITEM 5 - SALE OF LOT 5 DP 217372, 18 STANBROOK AVENUE MOUNT OUSLEY

23 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor Hayes seconded Councillor D Brown that -

- 1 Council authorise the sale of Lot 5 DP 217372 being 18 Stanbrook Avenue, Mount Ousley on the open market.
- 2 The General Manager be authorised to approve the sale strategy and finalise the sale price and the terms of the sale.
- 3 The Lord Mayor and General Manager be granted authority to affix the Common Seal of Council to any documentation required to give effect to this resolution and the General Manager be granted authority to sign any documentation necessary to give effect to this resolution.

In favour Councillors Hayes, R Martin, Quinn, D Brown, Myers, A Martin, Campbell, Anthony, Stuart, Morris, T Brown

Against Councillors Docker, Whittaker

ITEM 6 - GRANT OF EASEMENTS OVER COUNCIL COMMUNITY LAND FOR COMMUNITY BATTERIES

24 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Stuart seconded Councillor Morris that -

- 1 Pursuant to section 46 (1) (a1) of the Local Government Act 1993, Council resolves to grant an easement for the construction and maintenance of a community battery site of eighty-three square metres over Council land known as Lot 263 DP 29165, as shown on the attachment to this report.
- 2 Pursuant to section 46 (1) (a1) of the Local Government Act 1993, Council resolves to grant an easement for the construction and maintenance of a community battery site of fifteen square metres over Council land known as Lot 16 DP 36010, as shown on the attachment to this report.
- 3 Pursuant to section 46 (1) (a1) of the Local Government Act 1993, Council resolves to grant an easement for the construction and maintenance of a community battery site of forty-nine square metres over Council land known as Lot 42 DP 258363, as shown on the attachment to this report.
- 4 Pursuant to section 46 (1) (a1) of the Local Government Act 1993, Council resolves to grant an easement for the construction and maintenance of a community battery site of sixteen square metres over Council land known as Lot F DP 18578, as shown on the attachment to this report.
- 5 The applicant will be responsible for compensation to Council for the grant of the easements.
- 6 The applicant will also be responsible for the creation of the easements including Council's valuation, survey, plan lodgement and legal costs, and any other costs associated with the grant/registration of the easements.
- 7 The Lord Mayor and General Manager be granted authority to affix the Common Seal of Council to any documentation required to give effect to this resolution and the General Manager be granted authority to sign any documentation necessary to give effect to this resolution.

ITEM 7 - POLICY REVIEW - COMMUNITY FACILITIES

- 25 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that the following draft policies are adopted:
- a Management of Community Facilities
 - b Reduction or Waiver of Hire Fees for Community Facilities

ITEM 8 - POLICY REVIEW - COMPLIANCE AND ENFORCEMENT POLICY

- 26 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that consideration of the updated Compliance and Enforcement Policy be deferred.

Variation The variation moved by Councillor Hayes (that consideration of the Policy be deferred) was accepted by the mover and seconder.

ITEM 9 - APPOINTMENT OF COUNCIL 'LOCAL EXPERT' MEMBERS AND COUNCILLOR REPRESENTATIVES ON THE SOUTHERN REGIONAL PLANNING PANEL

- 27 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that Councillor David Brown (Delegate) and Cr Quinn (Alternate Delegate), be appointed to the Southern Regional Planning Panel for the term of the Council.

The Lord Mayor handed proceedings over to the Returning Officer. Council's Public Officer, Todd Hopwood acted as Returning Officer. As there were more nominations received than required delegates, the Returning Officer conducted elections for the position of Alternate Delegate.

- One Councillor position available for Alternate Delegate
- Two nominations were received from Cr Kit Docker and Cr Thomas Quinn

Following the election the Returning Officer declared Cr Thomas Quinn elected as the Alternate Delegate.

ITEM 10 - COUNCILLOR ATTENDANCE AT ELEVATE LOCAL GOVERNMENT COMMUNICATIONS SUMMIT - 4 APRIL 2025

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 20)

COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor R Martin that Council approve attendance at the ELEVATE Local Government Communications Summit in Narre Warren, Victoria on 4 April 2025 for Councillor Thomas Quinn.

ITEM 11 - TENDER T1000176 - BULLI BEACH CAFE ROOF REPLACEMENT

- 28 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Hayes that -
- 1 In accordance with Section 178(1)(a) of the Local Government (General) Regulation 2021, Council accept the tender of Batmac Constructions Pty Ltd for the Bulli Beach Café Roof Replacement and Associated Works, in the sum of \$680,628.24, including GST.
 - 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
 - 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 12 - TENDER T1000180 - CAMP GULLY (WHITTY ROAD, HELENSBURGH) HEADWALL AND EMBANKMENT REHABILITATION

29 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Hayes seconded Councillor R Martin that -

- 1 In accordance with Section 178(1)(a) of the Local Government (General) Regulation 2021, Council accept the tender of The RIX Group for Camp Gully Headwall Rehabilitation, in the sum of \$436,661.50, including GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 13 - JANUARY 2025 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 20)

COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor R Martin that the financials be received and noted.

ITEM 14 - STATEMENT OF INVESTMENT - JANUARY 2025

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 20)

COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor R Martin that Council receive the Statement of Investment for January 2025.

THE MEETING CONCLUDED AT 7:23 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 7 April 2025.

Chairperson